

#6
MDJ
10-01-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

)
Jerome M. Gauthier
Nhon T. Vuong

)
Serial No.: 09/704,244

)
Filed: 11/02/2000

)
Art unit: 2635

)
Examiner: Nguyen, Nam V.

)
For: System for Remote Operation of a
Personal Hygiene or Sanitary
Appliance

CERTIFICATE OF MAILING
Date of Deposit _____

I hereby certify that this paper or fee is being deposited with the
United States Postal Service on the date indicated above and is
addressed to:
Commissioner for Patents
Washington, D. C., 20231.

(Typed or Printed Name of Person Mailing Paper or Fee)

Signature of Person Mailing Paper or Fee

RECEIVED

AUG 12 2003

Technology Center 2600

DECLARATION UNDER 37 C.F.R. 1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Jerome M. Gauthier, depose and say as follows:

1. Nhon T. Vuong and I are the joint inventors of the invention disclosed and claimed in the above-identified patent application.
2. I understand that U.S. Patent No. 6,522,078 to Okamoto et al. (the '078 patent) having a filing date of August 25, 2000, has been cited by the Patent and Trademark Office to support rejections under 35 U.S.C. 103(a) of all the claims of the above-identified application.
3. The invention disclosed and claimed in the above-identified application was made prior to August 25, 2000, the filing date of the '078 patent. Specifically, this invention

was made, completed and actually reduced to practice in the United States, prior to
August 25, 2000, as evidenced by Exhibit A and Exhibit B.

4. While all the dates on the attached Exhibits have been removed from the accompanying copy, all such dates are prior to August 25, 2000.

5. Exhibit A is a date-redacted copy of a New Concept Disclosure and a copy of the drawings referred to in the New Concept Disclosure. Exhibit A reports on work or other activities performed in the United States by Nhon T. Vuong and me and/or under our direction and control in connection with the invention as defined by claims 1-13. All the dates redacted from Exhibit A are prior to August 25, 2000.

6. Exhibit B is a date-redacted copy of a New Concept Disclosure and a copy of the drawings referred to in the New Concept Disclosure. Exhibit B reports on work or other activities performed in the United States by Nhon T. Vuong and me and/or under our direction and control in connection with the invention as defined by claims 14-21. All the dates redacted from Exhibit B are prior to August 25, 2000.

7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued therefrom.

Date: 07 - 31 - 2003

Jerome M. Gauthier
Jerome M. Gauthier